

Exhibit 26

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION



Click here to enter text.

File Number: Click here to enter text.

Requesting Official(s) and Office(s): SA Elvis Ulufanua

Task Number(s) and Date Completed: Click here to enter text., Click here to enter a date.

Name and Office of Linguist(s): OST Damon Lum (HN), OST Tamara Heck (HN)

Name and Office of Reviewer(s): Hawaii Police Department – Internal Affairs

Source Language(s): English

Target Language: English

Source File Information

Choose an item.

Participants: (Delete if not needed.)

RC: Recorded Message
Patrick
Asst. Chief William Axt

Abbreviations: (Delete if not needed.)

[PH] – Phonetic Spelling
[OV] –
[UI] – Unintelligible

[TN:]

Corrections to document per HPD are made in blue. Transcription was reviewed by participants in recorded dialogue.

[Dial tone]

[Dialing numbers]

[Ringing]

RC: You have reached the desk of Patrick Lai [PH]. He is not available at this time. Please leave a message and he will return your call as soon as he can. Thank you. Record your message at the tone.

[Dial Tone]

[Rustling sound]

[End of Transcription]

[Rustling sound]

[Dial Tone]

[Rustling sound]

[Dial Tone]

[Ringing]

Patrick: Hi may - uh hi-hello Mr. Axt.

Mr. Axt: [laughs]

UF: Hello.

Mr. Axt: [OV] Hi Patrick. I haven't talked to you in a long time.

Patrick: I know. How's everything?

Mr. Axt: Everything's well. I heard you got promoted.

Patrick: Uh...

Mr. Axt: Was that a while back or was that something recent?

Patrick: It-it-it pretty while back already.

Mr. Axt: Aw I'm sorry.

Patrick: [OV] It's almost one year.

Mr. Axt: Really?

Patrick: [laughs]

Mr. Axt: Wow I'm behind the times. Well-well--

Patrick: Don't worry. Yeah I think I-I think I'm [UI] so I don't know why I'm taking this position.

Mr. Axt: [laughs]

Patrick: [laughs]

Mr. Axt: So a year ago. Wow. So what is your actual title now? What is your position?

Patrick: Mmm [UI] the chief of payroll.

Mr. Axt: Chief of payroll. Wow.

Patrick: Uh-huh, uh-huh, uh-huh.

Mr. Axt: [OV] Well awesome. What is that, like a accountant seven or something?

Patrick: Yeah, yeah seven, m-hum.

Mr. Axt: Wow.

Patrick: So I was [UI] [laughs]

Mr. Axt: You-you pretty important guy now.

Patrick: I don't know about that but you know, anyone can do my job you know, seriously.

Mr. Axt: [laughs] I doubt it. I know that I couldn't.

Patrick: [OV] Nah I'm sure. I'm sure. You just put your mind to it so no problem.

Mr. Axt: [chuckles]

Patrick: So uh how may I help you?

Mr. Axt: Yeah so I uhm just to-I'm calling for verification --

Patrick: M-hum.

Mr. Axt: - and I was to talking to Raymond Lum uhm last week.

Patrick: M-hum.

Mr. Axt: Raymond-Raymond Lum [PH]

Patrick: Yeah.

Mr. Axt: And he had mentioned that, uhm, you were talking about uh processing uh payment for the--

Patrick: Thank you.

Mr. Axt: --that settlement.

Patrick: Yes.

Mr. Axt: And uh - you uh - for Chief Kealoha.

Patrick: Yes.

Mr. Axt: So I just out of - was that something that was coming from our side? I mean is that something that we're requesting cause I-I was under the impression or actually we instructed Ray [PH] and finance not to process so was that was something that-

Patrick: [OV] Oh.

Mr. Axt: - [UI] asking you to do or is that--who was that coming from?

Patrick: It's from...I think from you guy's commission.

Mr. Axt: From, oh.

Patrick: [laughs]

Mr. Axt: So the commission's contacted you specifically?

Patrick: [REDACTED]

Mr. Axt: [REDACTED]

Patrick: [REDACTED]

Mr. Axt: Oh okay.

Patrick: Yeah so that's all so but you know I don't participate anything [laughs]

Mr. Axt: Yeah.

Patrick: Yeah on that part I have no idea so that's why, uh the COR ask me you know actually the COR call - contacted me this morning [UI] because we were supposed to process today, okay? So which we did already.

Mr. Axt: You-you did process.

Patrick: Yeah we did process today so the check should come out tomorrow.

Mr. Axt: Okay so the uhm so you-you just request like a GAX or something?

Patrick: Mmm we processed through the system. The payroll system.

Mr. Axt: So it's going to be automatically deposited or is it a...

Patrick: No it's a check, it'-it's-it's a physical check. So the physical check then we will deliver to the COR-the corporation counsel then I think-then they will take it from there-then they will deliver or whatever to the, I think their attorney or something.

Mr. Axt: Oh okay.

Patrick: The Chief Kealoha attorney or whatever somehow. I-I-I'm not sure exactly the mech-uh the mechanic what what-how the next step. The only thing what my concern is just to make sure we issue the check with the proper deduction on the tax. That's it. So no more uh no more pension contribution, no more the deferred comp so only-the only thing come out is going to be the tax.

Mr. Axt: Okay so that was just one check though.

Patrick: Yes.

Mr. Axt: Uhm...

Patrick: That's why the-I mean the only-the-the-the thing is like 250,000 yeah.

Mr. Axt: Yeah.

Patrick: Yeah m-hum.

Mr. Axt: So I was just wondering because you know and the-the breakdown of-and I-I never saw the-the copy of the like a signed copy or anything.

Patrick: M-hum.

Mr. Axt: Only what I saw in the newspaper but it mentioned that uhm, 190 was for salary and the other portion was for fees so I'm just-what account did we charge because I just want to make sure we do this correctly because eventually we're going to have to go to council and explain but [UI]

Patrick: M-hum.

Mr. Axt: I mean you-you-you're the payroll guy so you-I mean can you use payroll money to pay for fees for other things?

Patrick: No, no, no, no, no. The 250,000 is actually the settlement I mean severance pay because on that 250 so they break down 190 is actually the whatever the severance but the 60,000 is like because the attorney fees or whatever so the - but looks like a lump sum for 250. That's what-that's what I read from that document.

Mr. Axt: A lump sum. So--

Patrick: Yeah.

Mr. Axt: --okay so that-it's going to be charged from the chief's--

Patrick: Yes.

Mr. Axt: -- uh account.

Patrick: The - correct. Yeah the position whatever the like 110 something.

Mr. Axt: 311...13-11... was the - chief's

Patrick: Let me-let me look at the -

Mr. Axt: [OV] yeah the account code I just want to double check.

Patrick: [OV] the account code yeah hold on yeah. M-hum.

[typing noise]

Patrick: Yeah believe of like Nelson [PH] talked to me the other day.

Mr. Axt: Uh-huh.

Patrick: Also uh he said he talked to you guys Acting Chief?

Mr. Axt: Yeah.

Patrick: Yeah so it's like you-he said just came from you guys budget that's it. That's why I-I he-he told me you know like that's all you just process the check that's it [laughs]

Mr. Axt: Yeah.

Patrick: Yeah.

Mr. Axt: So it's going to be charged to the lump sum? Uhm so it's going to be 110, 13-11.

Patrick: Wait let me look let me look let me look hold on yeah. Let me see. That one is actually wait hold on yeah. Want to see his...Louis Kealoha [PH]. Oh my goodness oh. Yeah because I saw the news too say you guys like kind of said shouldn't come from your-you guy's money or whatever.

Mr. Axt: [OV] Yeah well we have concerns about it.

Patrick: M-hum.

Mr. Axt: I mean it's uhm-especially because I mean we're-we project that we're going to be short already for this quarter so it's coming out of third quarter, correct?

Patrick: This is the third quarter, yeah will be the third quarter yeah.

Mr. Axt: Yeah.

Patrick: Yeah so let me see. Hold on yeah the amount the thing is yeah 110, 13-12.

Mr. Axt: 13-12.

Patrick: Yeah that's the unit yeah.

Mr. Axt: Okay.

Patrick: Yeah so and then yeah so the-the money like 1-1-0-1 that's the object. Object code.

Mr. Axt: Oh so regular pay. So it's coming out of the regular [UI]

Patrick: [OV] Yeah. M-hum, m-hum, m-hum, m-hum, m-hum. Yeah let me double check one more thing. [UI] because that's a like a spec-special code we-we created.

Mr. Axt: Oh okay.

Patrick: Yeah so to cater-you know make sure everything yeah so be yeah the Object Code is 1-1-0-1.

Mr. Axt: Uhm 1-1-0-1 that's regu-that's regular pay.

Patrick: [OV] Yeah. Correct.

Mr. Axt: [OV] [UI]

Patrick: Yup, yup, yup, yup, yup.

Mr. Axt: [OV] You know what in our uhm in our Roll up we do the uhm like a fiscal expenditures acc-account from what I re-recall.

Patrick: M-hum.

Mr. Axt: It has a breakdown and you know it shows what the fund is which is 110 that's just basically for the police.

Patrick: [OV] The general fund.

Mr. Axt: [OV] Right.

Patrick: [OV] Yep m-hum general fund uh-huh.

Mr. Axt: And HPD is the department.

Patrick: The 1-3-1-2.

Mr. Axt: And then the group or the division it says 13-11 for chiefs office so 13-12 is what?

Patrick: Mmm that is his actually his position group that's what it is. Well I'm not too familiar with that financial grouping side yeah but -

Mr. Axt: Okay.

Patrick: - I-I just look at his records yeah. The position management so this is what they show over there.

Mr. Axt: Yeah.

Patrick: Yeah so I think if still I-I'm-I'm sure it still belong I mean under HPD so but uhm maybe Wayne would know more?

Mr. Axt: No, no, no it's still gonna - it's still gonna come out of HPD. I-I [UI]

Patrick: [OV] Yeah, yeah, yeah.

Mr. Axt: Wayne? Who's-who's Wayne?

Patrick: Oh, no Ray. I said Ray.

Mr X: Oh, Ray. [laughter]

Patrick: Yeah, Ray would know too.

Mr X: I'm sorry, I'm sorry.

Patrick: Yeah, you guys have a Ray too right?

Mr X: Uhm...

Patrick: The accountant six, right?

Mr X: We....we have Roy?

Patrick: Oh Roy! Oh so sorry Roy. Roy-Roy-Roy-Roy-yeah.

Mr X: Yeah.

Patrick: He-he should know too, I believe.

Mr. Axt.: Uhm...

Patrick: Yeah.

Mr. Axt: Okay.

Patrick: [laughter]

Mr X: So just to be clear, this is not - this wasn't coming from Ray asking you to process for us?

Patrick: No, no. [REDACTED] I think it's the commission, you know the [sound] the HPD commission

Mr. Axt: Yeah.

Patrick: You know how they have a discussion. I don't know what's going on in that [breathes] [REDACTED] That's basically what I got.

Mr. Axt: From HR, Jenny Tobin [PH]?

Patrick: Yeah.

Mr. Axt: [REDACTED]

Patrick: [REDACTED]

Mr. Axt: Ah okay.

Patrick: Uh huh.

Mr.X: Okay. [OV]

Patrick: [OV] I'm only a peon here. [laughter]

Mr.X: I – I – I know. I-I I am too. I understand.

Patrick: [OV] [Laughter] [UI]

Mr.X: So we just do what we're told to do. I-I- totally get it.

Patrick: Yeah.

Mr. Axt: I'm just trying to figure this out so that we can...

Patrick: [OV] Yeah.

Mr X: We know [OV] [UI]

Patrick: [OV] According to [UI] well, when Nelson talked to me it seems like you guys have enough budget. That's what he said.

Mr.X: Uhm.

Patrick: He talked to you guys acting Chief – Okamoto right?

Mr.X: Yeah.

Patrick: Yeah. Gary right? Is it Gary?

Mr. Axt: Cary. [PH]

Patrick: Cary [PH], Yeah. Cary [PH] yeah. Yeah, man....so how's everything?

Mr. Axt: Everything's ok. You know been – been good. Been very busy though.

Patrick: I know. Geez man. But can you – can you hire me as a cop? Nah, nah, nah.
[laughter]

Mr. Axt: [laughter]

Patrick: I don't think I meet the minimum requirements. The height [laughter]

Mr. Axt: No, that's, oh come on. We don't have a height requirement.

Patrick: I thought you guys have.

Mr. Axt: No...

Patrick: Okay, well...

Mr. Axt: Everybody can come in...we have some very short officers.

Patrick: Nah, I think, nah I can't pass the physical anyway. You gotta drag something, or carry something, nah I don't think so. [laughter]

Mr. Axt: Yeah.

Patrick: I have hard time carrying my daughter [laughter]

Mr. Axt: Really? Hey, how's your daughter? You-you adopted yeah? From...

Patrick: Yeah, yeah! From Taiwan.

Mr. Axt: Ah nice! And how old is she now?

Patrick: Yeah. She's five.

Mr.X: Wow!

Patrick: Yeah...

Mr.X: See that's how long it's been since I talked to you, I think?

Patrick: She's so big. So big now. She's like 46 pounds?

Mr.X: [chuckle] Wow!

Patrick: Like 44 inches.

Mr. Axt: She's going to start school now, pretty soon.

Patrick: She's at preschool right now so we tried to do the GE for the kindergarten.

Mr.X: Uh-huh.

Patrick: So yeah because our district is not that great. [laughter]

Mr.X: [laughter]

Patrick: Yeah, so you, your kids are older already yeah?

Mr. Axt: Yeah. I have a son that's a senior at-at Punahou and my daughter is a freshman at uh St. Andrew's Priory.

Patrick: Wow!

Mr. Axt: I know.

Patrick: See...

Mr. Axt: Now it's the stress of colleges are coming upon me.

Patrick: No problem. You can-you can support everything.

Mr. Axt: No way.

Patrick: Yeah! [laughter]

Mr. Axt: [laughter]

Patrick: You-you-you're current title yeah, actually your title is like the chief...

Mr. Axt: Well, I'm an assistant chief I'm in charge of the administrative bureau.

Patrick: [OV] Right, right, right .

Mr. Axt: - but right now temporarily I'm the acting Deputy Chief.

Patrick: Oh...

Mr. Axt: For yeah, the administrative operations. That's why I just want -

Patrick: [OV][UI]

Mr. Axt: I just want to be clear and I can, and then, and then I can explain everything to our acting Chief.

Patrick: Sure.

Mr. Axt: So that it's all clear in my mind because it's been so you know, so long since I've been out of the...

Patrick: [UI]

Mr.X: Finance.

Patrick: Right, right, right.

Mr. Axt: So and I know you have been very helpful. [UI] almost came over to HPD so that was - that was very close to maybe working over here.

Patrick: I know!

Mr X: But then, but then now you're-you're-you're the top guy man. You're in charge.

Patrick: No! No. I think that I'm not enough, I mean not good enough that's why it's alright. [laughter]

Mr. Axt: Uhm okay.

Patrick: Yeah

Mr. Axt: So what, so one thing I gotta ask though is it, it's seems a little bit unusual to me. Is there, is this something that, this is a normal procedure that they would, that you would be processing uh these kind of things for other departments or even for us. I think this is kind of unusual for us.

Patrick: The reason why because HPD they don't, they cannot do a supplemental check. So everything goes to central which is us. So you guys don't process supplemental check so like for example the worker's comp [UI] supplemental check...

Mr. Axt: Yeah.

Patrick: Everything would go to us to process.

Mr. Axt: Oh so even if we were saying okay go ahead we'll do it and if we wanted to cut this we - we really couldn't do it anyway.

Patrick: No. You guys don't have that right to do that so...

Mr X: Oh.

Patrick: So because - we like - because we try to centralize on that something like we try to limit some-somehow the control because otherwise, it'd be really difficult, but you guys do the rest. Like direct deposit, that, you know the normal...

Mr X.: Right.

Patrick: --whatever like lump sum no vacation payout or...

Mr. Axt: Right.

Patrick: That's like no problem, you know? You guys handle that part, but for supplemental check because this one it's like a special case yeah?

Mr. Axt: Yeah.

Patrick: So it's like the one, just specific this check come out. Not with other pay.

Mr. Axt: What would be an example where we would use the supplemental check for something else?

Patrick: Like for example, someone screw up. [laughter]

Mr. Axt: Screw up?

Patrick: The pay.

Mr. Axt: Oh.

Patrick: So the check was wrong.

Mr X: Oh.

Patrick: So after we recall it we have to do a supplemental check.

Mr. Axt: So if we under pay them and they miss the pay period or something?

Patrick: [OV] Underpay or overpay.

Mr. Axt: Oh.

Patrick: Then they cannot wait, yeah?

Mr. Axt: Okay.

Patrick: And the next payroll, so that's why, then we have to do a supplemental check. That's how, that's why I tell Ray just be careful don't make us work too much. [laughter]

Mr. Axt: Yeah, I'm sorry if [UI] since you are in charge of payroll, if you want to take over our payroll section then you know that would be okay too.

Patrick: Oh no, thank you!

Mr.X: [laughter] I know, it's a headache isn't it?

Patrick: I think, I think, I think they need a they are not a EM-5 they should be a EM-6 or 7. Nah! [laughter]

Mr. Axt: Right.

Patrick: Nah, I don't think so. It's just too much.

Mr. Axt: [laughter]

Patrick: Yeah, but I mean you guys have so many people that's why too.

Mr.X: Okay.

Patrick: But thank you though.

Mr. Axt: I think I - hey I think I got it straightened out but if I, if I need further clarifications would it be okay if I give you a call back?

Patrick: No problem, no problem. Yeah so I think as far as my concern the check was processed and the check will come out tomorrow. We will, we will drop it to the COR. After that it's then up to them how to deliver whatever.

Mr. Axt: Okay so you basically you have it, it's going to be printed out and you're - so you're going to have someone from your office carry it over to COR and then it's out of your hands.

Patrick: Yes, yes.

Mr. Axt: And then whenever they deliver it, they'll deliver it.

Patrick: Correct. [cough] Exactly. Okie dokie.

Mr. Axt: Thank you so much, I appreciate it.

Patrick: No problem. Have a good day.

Mr. Axt: Okay. Take care.

Patrick: Thank you, bye-bye.

[Call Ends – 13:28]